

WILLIAM J. FLYNN, Bar No. 95371  
 SCOTT M. DE NARDO, Bar No. 216749  
 NEYHART, ANDERSON, FREITAS, FLYNN & GROSBOLL  
 44 Montgomery Street, Suite 2080  
 San Francisco, CA 94104  
 TEL: (415) 677-9440  
 FAX: (415) 677-9445

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

U.A. LOCAL 342 JOINT LABOR-  
 MANAGEMENT COMMITTEE;  
 NORTHERN CALIFORNIA PIPE TRADES  
 PENSION TRUST; NORTHERN  
 CALIFORNIA PIPE TRADES HEALTH AND  
 WELFARE TRUST; LOCAL UNION 342,  
 PLUMBERS & STEAMFITTERS, UNITED  
 ASSOCIATION OF JOURNEYMEN AND  
 APPRENTICES OF THE PLUMBING AND  
 PIPEFITTING INDUSTRY OF THE UNITED  
 STATES AND CANADA (AFL-CIO); U.A.  
 LOCAL 342 APPRENTICESHIP &  
 TRAINING TRUST FUND and LARRY  
 BLEVINS, as Trustee of the above TRUSTS,

Plaintiffs,

v.

PLUS ONE SAFETY PRODUCTS, Inc.;  
 BRIAN JAMES; and MARK SHEPHARD,

Defendants.

CASE NO.: C-04 0714 JSW

**[Proposed] ORDER FOR SERVICE BY PUBLICATION**

Date: \_\_\_\_\_  
 Time: \_\_\_\_\_  
 Judge: Hon. Jeffrey S. White  
 Courtroom: 2, 17th floor

NEYHART, ANDERSON, FREITAS, FLYNN & GROSBOLL  
 A PROFESSIONAL CORPORATION  
 ATTORNEYS AT LAW  
 44 MONTGOMERY STREET, SUITE 2080 SAN FRANCISCO 94104-6702  
 TELEPHONE (415) 677-9440

1 ~~This matter came on regularly for hearing on~~. ~~Plaintiffs were represented~~  
 2 ~~by Mr. Scott M. De Nardo~~. Having considered the Motion, the Points and Authorities, the  
 3 submitted Declarations, the arguments of counsel and the entire file in this matter, and GOOD  
 4 CAUSE APPEARING,

5 IT IS ORDERED that Plaintiffs U.A. LOCAL 342 JOINT LABOR-MANAGEMENT  
 6 COMMITTEE; NORTHERN CALIFORNIA PIPE TRADES PENSION TRUST; NORTHERN  
 7 CALIFORNIA PIPE TRADES HEALTH AND WELFARE TRUST; LOCAL UNION 342,  
 8 PLUMBERS & STEAMFITTERS, UNITED ASSOCIATION OF JOURNEYMEN AND  
 9 APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED  
 10 STATES AND CANADA (AFL-CIO); U.A. LOCAL 342 APPRENTICESHIP & TRAINING  
 11 TRUST FUND and LARRY BLEVINS, as Trustee of the above TRUSTS (hereinafter the  
 12 "Trusts" or "Funds") be permitted to effect service of summons against Defendant MARK  
 13 SHEPHARD by manner of service by publication, pursuant to Federal Rule of Civil Procedure  
 14 4(e)(1) and California Code of Civil Procedure § 415.50 by publication of notice in the San  
 15 Ramon Valley Times, the newspaper most likely to give actual notice to Defendant MARK  
 16 SHEPHARD; further, the service by publication effectuated by Plaintiffs in the San Ramon  
 17 Valley Times on May 1, 8, 15, 22, 2005 is deemed sufficient service of summons, and Plaintiffs  
 18 have served Defendant MARK SHEPHARD.

19 IT IS SO ORDERED.

20 Dated: July 14, 2005

/s/ Jeffrey S. White

JUDGE OF THE ~~SUPERIOR~~ COURT  
 District

28 ~~Proposed~~ ORDER FOR SERVICE BY PUBLICATION

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